

**** NOTICE:** This is only a preliminary draft of the City-County Council agenda prepared by the Council staff pursuant to Sec. 161-5(b) and may not be complete. The President of the Council has not determined the order of business for this meeting pursuant to Sec. 151-71. The agenda will be final only when approved by the Council at the meeting.

AGENDA
CITY COUNTY COUNCIL
AND THE
INDIANAPOLIS POLICE, FIRE, AND SOLID WASTE COLLECTION
SPECIAL SERVICE DISTRICT COUNCILS

November 9, 2009

7:00 P.M.

- I. PRAYER AND PLEDGE OF ALLEGIANCE - Councillor Nytes**
- II. ROLL CALL**
- III. INTRODUCTION OF GUESTS AND VISITORS**
- IV. OFFICIAL COMMUNICATIONS**
- V. ADOPTION OF AGENDA**
- VI. APPROVAL OF JOURNALS – October 26, 2009**
- VII. PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 397, 2009 (Special Resolution)
INTRODUCED: 11/09/2009 BY: Councillors Nytes and Vaughn
REFERRED TO: Committee of the Whole
DIGEST: recognizes the Center for Inquiry at School No. 2

VIII. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 404, 2009 (Special Resolution)
INTRODUCED: 11/09/2009 BY: Councillor Moriarty Adams
REFERRED TO: Administration and Finance Committee
DIGEST: determines the need to lease approximately 2,525 square feet of commercial office space at 7363 E. 21st Street for use by the Marion County Assessor

VIII. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 405, 2009 (Special Resolution)

INTRODUCED: 11/09/2009 BY: Councillor Moriarty Adams

REFERRED TO: Administration and Finance Committee

DIGEST: determines the need to lease approximately 3,373 square feet of commercial office space at 5226 Elmwood Avenue for use by the Marion County Assessor

PROPOSAL NO. 406, 2009 (General Ordinance)

INTRODUCED: 11/09/2009 BY: Councillor Bateman

REFERRED TO: Administration and Finance Committee

DIGEST: amends the Code to encourage economic revitalization by creating an Indianapolis based business preference for the City and County

PROPOSAL NO. 407, 2009 (General Resolution)

INTRODUCED: 11/09/2009 BY: Councillor Nytes

REFERRED TO: Economic Development Committee

DIGEST: approves the statement of benefits of Bucher and Christian Consulting, Inc., which is an applicant for tax abatement for property located in an economic revitalization area

PROPOSAL NO. 408, 2009 (General Resolution)

INTRODUCED: 11/09/2009 BY: Councillor Smith

REFERRED TO: Economic Development Committee

DIGEST: approves the guaranty of the yield on low income tax credits in order to enable the sale of such low income tax credits by the Indianapolis Housing Agency for rehabilitation projects in the City to be developed by its non-profit arm Partners for Affordable Housing, Inc.

PROPOSAL NO. 410, 2009 (Special Resolution)

INTRODUCED: 11/09/2009 BY: Councillors Plowman and D. Mahern

REFERRED TO: Metropolitan Development Committee

DIGEST: approves the amounts, locations and programmatic operation of certain projects to be funded from the Community Development Grant Funds in 2010

PROPOSAL NO. 411, 2009 (Fiscal Ordinance)

INTRODUCED: 11/09/2009 BY: Councillor Vaughn

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves the transfer of \$140,000 in the 2009 Budget of the Department of Public Safety (Consolidated County and State Law Enforcement Funds) to purchase a vehicle for the Metro Drug Task Force, to contract for management services in Emergency Management, and to pay other operating expenses in the divisions of Animal Care and Control and Emergency Management and the Director's Office

PROPOSAL NO. 412, 2009 (Fiscal Ordinance)

INTRODUCED: 11/09/2009 BY: Councillor Vaughn

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves the transfer and appropriation of \$61,403,242 in the 2009 Budgets of IMPD, IFD Pensions, the Marion County Sheriff, Coroner, Prosecutor and Public Defender, and Forensic Services Agency (IMPD General, Fire Pension, and County General Funds) into the newly created Public Safety Income Tax Fund in order to comply with Indiana Code requiring all monies collected from the public safety income tax to be accounted for in a separate fund

VIII. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 413, 2009 (General Ordinance)

INTRODUCED: 11/09/2009 BY: Councillor Scales

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: amends the Code to clarify the definition and violation of animal at large, to expand the definition of serious injury, to specifically provide for court-ordered forfeiture and/or destruction of an animal if serious injury to a person results from the animal chasing or approaching a person in an aggressive manner while at large, and to change the reference to serious bodily injury to serious injury in the section on owner responsibility for animal attacks

PROPOSAL NO. 414, 2009 (General Resolution)

INTRODUCED: 11/09/2009 BY: Councillor Vaughn

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves and accepts the transfer of property from the Indianapolis Public Schools to Marion County on behalf of the Marion Superior Court, Juvenile Division

PROPOSAL NO. 415, 2009 (General Ordinance)

INTRODUCED: 11/09/2009 BY: Councillor Nytes

REFERRED TO: Public Works Committee

DIGEST: authorizes the removal of no parking anytime restrictions on Park Avenue from 42nd Street to Ruckle Street (District 9)

PROPOSAL NO. 416, 2009 (General Ordinance)

INTRODUCED: 11/09/2009 BY: Councillors Hunter and Moriarty Adams

REFERRED TO: Public Works Committee

DIGEST: amends the Code to add new provisions regarding unattended bicycles and bicycles not in operation, and traffic restrictions for bicycles on sidewalks and bicycle paths and lanes

PROPOSAL NO. 417, 2009 (Special Resolution)

INTRODUCED: 11/09/2009 BY: Councillors Malone, B. Mahern, Lutz, Smith and McHenry

REFERRED TO: Rules and Public Policy Committee

DIGEST: requests the General Assembly to amend existing statutes to provide that the Council has binding authority on reviews of township budgets in Marion County

PROPOSAL NO. 418, 2009 (Special Resolution)

INTRODUCED: 11/09/2009 BY: Councillors B. Mahern, Lewis, Sanders, D. Mahern, Hunter, Smith, Mansfield and Malone

REFERRED TO: Metropolitan Development Committee

DIGEST: urges the General Assembly and Governor to grant additional authority to the Council to review and approve all tax abatements, postpone consideration of tax abatements and zoning changes, and review and approve any real estate acquisition by the Metropolitan Development Commission in excess of \$25,000

PROPOSAL NO. 419, 2009 (General Resolution)

INTRODUCED: 11/09/2009 BY: Councillors McQuillen and Nytes

REFERRED TO: Municipal Corporations Committee

DIGEST: approves the purchase, construction or acquisition by the Indianapolis-Marion County Building Authority of all or any portion of the Wishard Hospital project and a proposed lease or leases between the Building Authority and the Health and Hospital Corporation to finance all or any portion of the Wishard Hospital project

IX. SPECIAL ORDERS - PRIORITY BUSINESS

X. SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 383, 2009 (Fiscal Ordinance)

INTRODUCED: 10/26/2009 BY: Councillor Nytes

REFERRED TO: Metropolitan Development Committee

DIGEST: approves an appropriation of \$362,000 in the 2009 Budget of the Department of Metropolitan Development (State Grants Fund) to fund capital and operational expenditures incurred by businesses within the BioCrossroads Certified Technology Park (CTP), financed by a Technology Development Grant from the Indiana Economic Development Corporation (IEDC)

COMMITTEE ACTION:

11/02/2009 Do Pass 8-0

PROPOSAL NO. 384, 2009 (Fiscal Ordinance)

INTRODUCED: 10/26/2009 BY: Councillors Moriarty Adams and Vaughn

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves an appropriation of \$38,381 in the 2009 Budget of the Marion County Community Corrections Agency (Federal Grants Fund) to pay for three staff positions and related supplies, equipment and contractual services for a Technical Rules Violation program, financed by American Recovery and Reinvestment Act (ARRA) federal justice assistance grant funds awarded by the Indiana Criminal Justice Institute

COMMITTEE ACTION:

10/28/2009 Do Pass 6-0

PROPOSAL NO. 385, 2009 (Fiscal Ordinance)

INTRODUCED: 10/26/2009 BY: Councillors Scales and Brown

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves an appropriation of \$34,100 in the 2009 Budget of the Marion County Coroner (Federal Grants Fund) to fund partial salaries of two Deputy Coroner positions, the purchase of a scanner, digital cameras and autopsy tools, and transcription services

COMMITTEE ACTION:

10/28/2009 Do Pass 6-0

PROPOSAL NO. 386, 2009 (Fiscal Ordinance)

INTRODUCED: 10/26/2009 BY: Councillors Vaughn and Moriarty Adams

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves an appropriation of \$92,485 in the 2009 Budget of the Marion County Sheriff (Medical Care for Inmates Fund) to pay for prescription drugs used in treating inmates, financed by revenues collected from health care and prescription drug co-payments by inmates

COMMITTEE ACTION:

10/28/2009 Do Pass 6-0

XI. SPECIAL ORDERS - UNFINISHED BUSINESS

XII. SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 218, 2009 (General Ordinance)

INTRODUCED: 06/08/2009 BY: Councillor Coleman

REFERRED TO: Public Works Committee

DIGEST: amends the Code to provide for motorcycle parking meter spaces

COMMITTEE ACTION:

07/09/2009 Tabled 5-2

11/05/2009 Strike 7-0

XII. SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 387, 2009 (General Resolution)

INTRODUCED: 10/26/2009 BY: Councillors Vaughn and Moriarty Adams

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: confirms the approval of the restatement of the Marion County Sheriff's Department Personnel Benefit Plan to reflect the consolidation of the county police force of the Marion County Sheriff's Department and the Indianapolis Police Department into the Indianapolis Metropolitan Police Department

COMMITTEE ACTION:

10/28/2009 Do Pass 6-0

PROPOSAL NO. 388, 2009 (General Ordinance)

INTRODUCED: 10/26/2009 BY: Councillor Cockrum

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: amends the Code to make technical corrections to the description of the fire special service district to reflect the consolidation of certain township fire departments into the Indianapolis Fire Department

COMMITTEE ACTION:

10/28/2009 Do Pass 6-0

PROPOSAL NO. 389, 2009 (General Ordinance)

INTRODUCED: 10/26/2009 BY: Councillor Lewis

REFERRED TO: Public Works Committee

DIGEST: authorizes intersection controls in Sections 1 and 2 of the Morningside subdivision (District 7)

COMMITTEE ACTION:

11/05/2009 Do Pass 7-0

PROPOSAL NO. 390, 2009 (General Ordinance)

INTRODUCED: 10/26/2009 BY: Councillor Lewis

REFERRED TO: Public Works Committee

DIGEST: authorizes intersection controls in Section 2 of the Lakeside Manor West subdivision (District 7)

COMMITTEE ACTION:

11/05/2009 Do Pass 7-0

PROPOSAL NO. 391, 2009 (General Ordinance)

INTRODUCED: 10/26/2009 BY: Councillor Cockrum

REFERRED TO: Public Works Committee

DIGEST: authorizes intersection controls in the Bluff View Meadows South subdivision (District 22)

COMMITTEE ACTION:

11/05/2009 Do Pass 7-0

PROPOSAL NO. 392, 2009 (General Ordinance)

INTRODUCED: 10/26/2009 BY: Councillor Nytes

REFERRED TO: Public Works Committee

DIGEST: authorizes a multi-way stop at the intersection of 20th Street and Broadway Street (District 9)

COMMITTEE ACTION:

11/05/2009 Do Pass 7-0

XII. SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 393, 2009 (General Ordinance)

INTRODUCED: 10/26/2009 BY: Councillor McHenry

REFERRED TO: Public Works Committee

DIGEST: authorizes a multi-way stop at the intersection of Dunsany Lane and Inland Drive East (District 6)

COMMITTEE ACTION:

11/05/2009 Do Pass 7-0

PROPOSAL NO. 394, 2009 (General Ordinance)

INTRODUCED: 10/26/2009 BY: Councillor Minton McNeill

REFERRED TO: Public Works Committee

DIGEST: authorizes a change in parking meters on Illinois Street between Washington Street and 16th Street (District 15)

COMMITTEE ACTION:

11/05/2009 Do Pass 7-0

PROPOSAL NO. 395, 2009 (General Ordinance)

INTRODUCED: 10/26/2009 BY: Councillor Minton McNeill

REFERRED TO: Public Works Committee

DIGEST: authorizes changes in the parking restrictions in the area of IUPUI (District 15)

COMMITTEE ACTION:

11/05/2009 Do Pass 7-0

PROPOSAL NO. 396, 2009 (General Ordinance)

INTRODUCED: 10/26/2009 BY: Councillor Minton McNeill

REFERRED TO: Public Works Committee

DIGEST: authorizes 2-hour parking meters on Ohio Street between East Street and Park Avenue (District 15)

COMMITTEE ACTION:

11/05/2009 Do Pass 7-0

XIII. SPECIAL SERVICE DISTRICT COUNCILS

XIV. NEW BUSINESS

XV. ANNOUNCEMENTS AND ADJOURNMENT

The President The docketed agenda for this meeting of Council having been completed, the Chair will now entertain motions for adjournment.

President's Designee Mr. President.

The President The Chair recognizes Councillor Vaughn.

The Councillor Mr. President, I have been asked to offer the following motion for adjournment:

by All Councillors in memory of Edna Miller and Millie Sanders.

by Councillor Cockrum in memory of John R. Braun.

by Councillor McQuillen in memory of Helen Barney.

by Councillor Cain in memory of Roderick E. Burt and Charles E. Spicklemire.

Mr. President, I would like to move the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of those persons I have here specifically named. I respectfully ask the support of fellow Councillors. I further request that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family of each person advising of this action.

The President

Thank you, Councillor Vaughn. Hearing no objections, the motion is received and the requests are so ordered.

Hearing no further motions, we are adjourned.

XVI. PENDING PROPOSALS

PROPOSAL NO. 132, 2009 (General Ordinance)

INTRODUCED: 04/13/2009 BY: Councillor Hunter

REFERRED TO: Public Works Committee

DIGEST: amends the Code to add a new Article VI in Chapter 261 establishing a Green Fleet Policy

COMMITTEE ACTION:

04/23/2009 Postpone until 5/14/2009 8-0

05/14/2009 Postpone until 6/18/2009 9-0

07/09/2009 Postpone until 8/20/2009 7-0

09/10/2009 Tabled 7-0

PROPOSAL NO. 172, 2009 (General Ordinance)

INTRODUCED: 05/04/2009 BY: Councillor Lutz

REFERRED TO: Public Works Committee

DIGEST: authorizes one-way restrictions on Waldemere Avenue and Alley 1175 South (District 13)

COMMITTEE ACTION:

05/28/2009 Postpone until 6/18/2009 9-0

07/09/2009 Postpone until 8/20/2009 7-0

09/10/2009 Tabled 7-0

PROPOSAL NO. 178, 2009 (General Ordinance)

INTRODUCED: 05/04/2009 BY: Councillors Speedy and Cain

REFERRED TO: Rules and Public Policy Committee

DIGEST: amends the Code by adding provisions to clarify Chapter 531 regarding regulation of pit bulls, including registration and sterilization, better humane standards for the care and treatment of all dogs, and requiring all dogs and cats adopted out of the animal care and control system to be altered

COMMITTEE ACTION:

05/12/2009 Tabled 7-0

PROPOSAL NO. 202, 2009 (General Ordinance)

INTRODUCED: 05/18/2009 BY: Councillor Evans

REFERRED TO: Public Works Committee

DIGEST: amends Chapter 511, Air Pollution Control, of the Revised Code to formally codify noxious odor emission standards and to regulate noxious odor emissions in Indianapolis and Marion County

COMMITTEE ACTION:

05/28/2009 Postponed 8-0

XVI. PENDING PROPOSALS

PROPOSAL NO. 214, 2009 (General Resolution)

INTRODUCED: 06/08/2009 BY: Councillor Hunter

REFERRED TO: Public Works Committee

DIGEST: approves the purchase of certain land owned by Donro, Inc. by the Department of Public Works for construction of a stormwater improvements project

COMMITTEE ACTION:

06/18/2009 Postpone until 7/9/2009 6-0

09/10/2009 Tabled 7-0

PROPOSAL NO. 243, 2009 (Special Ordinance)

INTRODUCED: 06/29/2009 BY: Councillors Hunter and Evans

REFERRED TO: Public Works Committee

DIGEST: approves and authorizes execution of an agreement between the City of Indianapolis and Hamilton County, Indiana, for the exercise of eminent domain authority and the construction of highway and drainage improvements in Marion and Hamilton Counties

COMMITTEE ACTION:

07/09/2009 Postpone until 7/30/2009 7-0

07/30/2009 Tabled 8-0

PROPOSAL NO. 256, 2009 (Special Resolution)

INTRODUCED: 06/29/2009 BY: Councillors Sanders, Plowman, D. Mahern and B. Mahern

REFERRED TO: Rules and Public Policy Committee

DIGEST: calls upon the hospitality industry to reduce the negative impact of outsourcing jobs on the community

COMMITTEE ACTION:

09/29/2009 Postpone until 10/13/2009 8-0

10/13/2009 Postpone until 11/4/2009 6-0

PROPOSAL NO. 293, 2009 (Council Resolution)

INTRODUCED: 08/10/2009 BY: Councillor Coleman

REFERRED TO: Parks and Recreation Committee

DIGEST: directs the Director and the Board of Parks and Recreation to consider the sale of city golf courses

COMMITTEE ACTION:

08/13/2009 Tabled 7-0

PROPOSAL NO. 303, 2009 (General Ordinance)

INTRODUCED: 08/10/2009 BY: Councillor Coleman

REFERRED TO: Rules and Public Policy Committee

DIGEST: amends the Code to add a new section regarding the internet posting of city and county contracts

COMMITTEE ACTION:

09/29/2009 Postpone until 11/4/2009 8-0

11/04/2009 Postpone until 11/17/2009 7-0

PROPOSAL NO. 359, 2009 (General Ordinance)

INTRODUCED: 09/21/2009 BY: Councillors Hunter, McQuillen and Malone

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: amends the Code to adopt a new chapter requiring permits for funeral and other escorted vehicular processions

COMMITTEE ACTION:

09/23/2009 Tabled 8-0

XVI. PENDING PROPOSALS

PROPOSAL NO. 370, 2009 (Fiscal Ordinance)

INTRODUCED: 10/05/2009 BY: Councillors Pfisterer and Moriarty Adams

REFERRED TO: Administration and Finance Committee

DIGEST: approves a transfer of \$44,200 in the 2009 Budget of the Marion County Assessor (County General Fund) to replace three new central air conditioning units, to upgrade and standardize computer connectivity, and to fund other equipment purchases necessary to expedite commercial appeals processing and to perform mandatory reassessment activities

PROPOSAL NO. 371, 2009 (General Ordinance)

INTRODUCED: 10/05/2009 BY: Councillors Hunter and Mansfield

REFERRED TO: Community Affairs Committee

DIGEST: amends the Code with respect to nonsmoking areas

COMMITTEE ACTION:

10/14/2009 Do Pass As Amended 4-2

COUNCIL ACTION:

10/26/2009 Indecisive Vote 12-13

10/26/2009 Tabled 14-13

PROPOSAL NO. 378, 2009 (Special Resolution)

INTRODUCED: 10/05/2009 BY: Councillor Cockrum

REFERRED TO: Rules and Public Policy Committee

DIGEST: supports FedEx Express operations and the City of Indianapolis

COMMITTEE ACTION:

10/13/2009 Do Pass As Amended 5-1

COUNCIL ACTION:

10/26/2009 Returned to Committee

COMMITTEE ACTION:

11/04/2009 Tabled 7-0